IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 12728 of 2007(M)

PETITIONER:

SHEELA GABRIEL W/O VARGHESE,
PULLOKKARAN HOUSE, PALISSERI P.O., PALAKKAL,
THRISSUR.

BY ADV. SRI.DILIP J. AKKARA

RESPONDENTS:

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1. THE SECRETARY,
THE CHERPU SERVICE CO-OPERATIVE BANK LTD.,NO.3540,
CHERPU BRANCH, CHERPU, THRISSUR.

2. THE SPECIAL SALE OFFICER,
OLLUKKARA CHERPU GROUP,
OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), THRISSUR.

3. BABU, S/O JOSEPH,
KUNDUKULANGARA HOUSE, CHOVVOOR, THRISSUR.

R1 BY ADV. SRI.P.RAMAKRISHNAN
R2 BY SR. GOVT. PLEADER SRI. P.N.SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 12728/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : PHOTO COPY OF PAGES 1 & 2 OF LOAN PASS BOOK ISSUED TO 3RD RESPONDENT.

EXT. P2 : PHOTO COPY OF DEMAND NOTICE CUM ATTACHMENT ORDER NO.1L2/02 DATED 3.4.07 ISSUED BY 2ND RESPONDENT TO PETITIONER.

K.M.JOSEPH, J.

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WP.(C) No.12728 of 2007

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Dated this the 19th day of June, 2007

JUDGMENT

Petitioner stood as a surety for the loan taken by the third respondent. There is an award passed in A.R.C., filed by the first respondent. Petitioner prays for time. Counsel for the petitioner submits that the petitioner may be permitted to pay off the amount in easy instalments.

2. Heard counsel for the parties, the writ petition is disposed of as follows:

The respondent Bank will serve a statement on the petitioner showing the amount payable by her on the basis that petitioner is to pay off the amount due with interest in ten equal monthly instalments. This the respondent Bank shall do within three weeks from today. Upon receipt of the same, the petitioner is permitted to pay off the amount in ten equal monthly instalments, the first of which shall be paid on or before 2.8.2007 and the balance instalments shall be paid on or before the 2nd of the succeeding months. If the petitioner commits

default in payment of any one instalment, the respondent Bank will be free to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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